

REMARKS

In the non-final Office Action, the Examiner rejected claims 1, 5, 9, 10, 15-27, 61, 64, 75, 76, and 80 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. (U.S. Patent No. 5,579,379) in view of Jordan (U.S. Patent Application Publication No. US2001/0050984) and Hayden et al. (WO 00/552916); rejected claims 2, 3, 6-8, 11-14, 28, 29, 31, 32, 34-37, 62, 63, 77, and 78 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. in view of Jordan and McConnell et al. (U.S. Patent Application Publication No. US2003/0074313); rejected claim 4 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. in view of Jordan and Jobst et al. (U.S. Patent No. 6,707,915); rejected claims 30 and 33 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. in view of Jordan, McConnell et al., and Fletcher et al. (U.S. Statutory Invention Registration No. H1,897); rejected claims 38-42 and 66-68 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. in view of Hayden et al.; rejected claims 43, 44, 47-60, and 79 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. in view of Jordan and Hluchyj et al. (U.S. Patent No. 6,282,193); and rejected claims 45 and 46 under 35 U.S.C. § 103(a) as unpatentable over D'Amico et al. in view of Jordan, Hluchyj et al., and McConnell et al.

By this Amendment, Applicants amend claims 1, 4, 27, 43, 61, 75, 79, and 80 to improve form. Applicants respectfully traverse the Examiner's rejections with regard to the claims as amended herein. Claims 1-64, 66-68, and 75-80 remain pending.

In paragraphs 2 and 5 of the non-final Office Action, the Examiner rejected claims 1, 5, 9, 10, 15-27, 61, 64, 75, 76, and 80 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Jordan and Hayden et al. Applicants respectfully traverse the rejection with regard to the pending claims.

Initially, Applicants submit that the rejection is based on an improper combination of references. The Examiner rejected claims 1, 5, 9, 10, 18-27, 61, 75, 76, and 80 based on a combination of D'Amico et al., Jordan, and Hayden et al. (Office Action, page 2). The Examiner did not mention, however, any portion of Hayden et al. in the body of the rejection. The Examiner also provided no motivation for combining the disclosures of D'Amico et al., Jordan, and Hayden et al. with regard to claims 1, 5, 9, 10, 18-27, 61, 75, 76, and 80. Therefore, the Examiner's rejection of claims 1, 5, 9, 10, 18-27, 61, 75, 76, and 80 is improper. Reconsideration and clarification of the rejection is respectfully requested.

Nevertheless, Applicants submit that neither D'Amico et al., Jordan, nor Hayden et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claims 1, 5, 9, 10, 15-27, 61, 64, 75, 76, and 80.

Amended independent claim 1, for example, is directed to a method for placing a call between a first client and a second client. The method comprises receiving a call request message; challenging a device that originated the call request message to authenticate itself, whereby the device performs a first authentication process based on a username and a password associated with the device to generate a first authentication result as a result of authenticating itself; authenticating the call request message by performing a second authentication process based on the username and the password associated with the device to generate a second authentication result and comparing the second authentication result to the first authentication result, whereby an authentic originating client is identified; and searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the

call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained.

Neither D'Amico et al., Jordan, nor Hayden et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in amended claim 1. For example, neither D'Amico et al., Jordan, nor Hayden et al. discloses or suggests authenticating the call request message by performing a second authentication process based on the username and the password associated with a device to generate a second authentication result and comparing the second authentication result to a first authentication result, where the first authentication result is generated by the device performing a first authentication process based on the username and password.

D'Amico et al. discloses using automatic number identification (ANI) and/or a PIN to identify a calling party (col. 25, lines 24-27; col. 28, line 61 - col. 29, line 13). Nowhere does D'Amico et al. disclose or suggest authenticating a call request message by performing a second authentication process based on the username and the password associated with a device to generate a second authentication result and comparing the second authentication result to a first authentication result, where the first authentication result is generated by the device performing a first authentication process based on the username and password, as required by claim 1.

Jordan discloses that an ISN authenticates call initiation equipment by sending it a validation request that includes a random number (paragraph 0038). The call initiation equipment performs a one-way hashing function on the random number to generate an authentication identification number that it returns along with a customer wireline identification number (paragraphs 0042 and 0043). The ISN compares the authentication identification

number with its own authentication data (paragraph 0047). Nowhere does Jordan disclose or suggest authenticating a call request message by performing a second authentication process based on the username and the password associated with a device to generate a second authentication result and comparing the second authentication result to a first authentication result, where the first authentication result is generated by the device performing a first authentication process based on the username and password, as required by claim 1. Instead, Jordan's first and second authentication results are based solely on the random number included in the validation request message (paragraph 0040).

Hayden et al. discloses that a home authentication server verifies whether an initiating party is authorized to place an Internet telephone call by verifying an account ID and PIN provided by the initiating party (page 13, line 28 - page 14, line 6). Nowhere does Hayden et al. disclose or suggest authenticating a call request message by performing a second authentication process based on the username and the password associated with a device to generate a second authentication result and comparing the second authentication result to a first authentication result, where the first authentication result is generated by the device performing a first authentication process based on the username and password, as required by claim 1.

Because neither D'Amico et al., Jordan, nor Hayden et al., whether taken alone or in any reasonable combination, discloses or suggests authenticating a call request message by performing a second authentication process based on the username and the password associated with a device to generate a second authentication result and comparing the second authentication result to a first authentication result, where the first authentication result is generated by the device performing a first authentication process based on the username and password, as

required by claim 1, the combination cannot disclose or suggest searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained, as further required by claim 1.

For at least these reasons, Applicants submit that claim 1 is patentable over D'Amico et al., Jordan, and Hayden et al., whether taken alone or in any reasonable combination. Claims 5, 9, 10, 15-26, and 75 depend from claim 1 and are, therefore, patentable over D'Amico et al., Jordan, and Hayden et al., whether taken alone or in any reasonable combination. Claims 5, 9, 10, 15-26, and 75 are also patentable for reasons of their own.

For example, claim 5 recites evaluating a profile of the second client, where the profile includes information corresponding to at least one calling feature activated by the second client.

Neither D'Amico et al., Jordan, nor Hayden et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 5. The Examiner did not address the features of claim 5 and, therefore, did not establish a prima facie case of obviousness with regard to claim 5.

For at least these additional reasons, Applicants submit that claim 5 is patentable over D'Amico et al., Jordan, and Hayden et al., whether taken alone or in any reasonable combination.

Claim 15 recites adding a header to the call request message, where the header includes a server identifier; and transmitting the call request message to a gateway, where the gateway is configured to complete the call if the header is detected and not complete the call if the header is not detected. Neither D'Amico et al., Jordan, nor Hayden et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 15.

For example, neither D'Amico et al., Jordan, nor Hayden et al. discloses or suggests adding a header to a call request message, where the header includes a server identifier.

The Examiner alleged that Hayden et al. discloses this feature and cited page 6, line 23 - page 7, line 6 (Office Action, page 6). Applicants respectfully disagree.

At page 6, line 23 - page 7, line 6, Hayden et al. discloses:

The various components shown in Figs.1 and 2 have the following functions. The locator server 42 provides the gatekeeper server 34 with the Internet Protocol (IP) addresses of the servers required to utilize the distributed control system 18. Specifically, locator server 42 provides the server 34 with the IP addresses of the authentication server 70, the route termination server 50 and the collection server 54. When the gatekeeper 34 is booted up, it sends an input to the locator server 42 that specifies the type of service that is requested (i. e. an Internet telephony); the service release (i. e. the version of the service that is being used); the location of the gatekeeper server 34 (e. g. Indonesia); and a description of the type of the gatekeeper server 34 (referred to as the client type). The client type is preferably in the format of the manufacturer followed by the type of server and the version of the server (e. g. Lucent_Gatekeeper_2.0). The input sent by the gatekeeper server 34 to the locator server 42 is part of the API software.

When the locator server 42 receives this input from the gatekeeper server 34, server 42 returns an output to the server 34 that provides the IP addresses for the servers required to complete the type of service specified by the input. For example, the output from the locator server 42 to the gatekeeper server 34 in response to the API input described above, would include the IP addresses of one or more of the following servers, depending on the situation: the authentication server 46, the route termination server 50 and/or the collection server 54.

In this section, Hayden et al. discloses that locator server 42 provides IP addresses for authentication server 46, route termination server 50, and/or collection server 54. Nowhere in this section, or elsewhere, does Hayden et al. disclose or suggest adding a header to a call request message, where the header includes a server identifier.

Because Hayden et al. does not disclose or suggest adding a header to a call request message, where the header includes a server identifier, Hayden et al. cannot disclose or suggest transmitting the call request message to a gateway, where the gateway is configured to complete

the call if the header is detected and not complete the call if the header is not detected, as further required by claim 15. D'Amico et al. and Jordan also do not disclose or suggest these features.

For at least these additional reasons, Applicants submit that claim 15 is patentable of D'Amico et al., Jordan, and Hayden et al., whether taken alone or in any reasonable combination.

Claims 16 and 17 recite features similar to features recited in claim 15. Claims 16 and 17 are, therefore, patentable over D'Amico et al., Jordan, and Hayden et al. for at least reasons similar to reasons given with regard to claim 15.

Claim 18 recites that the first client is a SIP-telephone and the second client is a SIP-telephone. Neither D'Amico et al., Jordan, nor Hayden et al., whether taken alone or in any reasonable combination, discloses or suggests SIP-telephones. The Examiner did not address the features of claim 18 and, therefore, did not establish a prima facie case of obviousness with regard to claim 18.

For at least these additional reasons, Applicants submit that claim 18 is patentable of D'Amico et al., Jordan, and Hayden et al., whether taken alone or in any reasonable combination.

Claim 19 recites that the first client is a SIP-telephone and the second client is a standard telephone coupled to a PSTN. Neither D'Amico et al., Jordan, nor Hayden et al., whether taken alone or in any reasonable combination, discloses or suggests a SIP-telephone. The Examiner did not address the features of claim 19 and, therefore, did not establish a prima facie case of obviousness with regard to claim 19.

For at least these additional reasons, Applicants submit that claim 19 is patentable of D'Amico et al., Jordan, and Hayden et al., whether taken alone or in any reasonable combination.

Amended claim 75 recites receiving the username and the first authentication result from the device, determining a password that corresponds to the username, performing a hash function based on the username and password, and determining whether a result of the hash function matches the first authentication result. Neither D'Amico et al., Jordan, nor Hayden et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 75. The Examiner did not address the features of claim 75 and, therefore, did not establish a prima facie case of obviousness with regard to claim 75.

For at least these additional reasons, Applicants submit that claim 75 is patentable of D'Amico et al., Jordan, and Hayden et al., whether taken alone or in any reasonable combination.

Amended independent claim 27 is directed to a computer readable medium having computer executable instructions for performing a method for placing a call between a first client and a second client. The method comprises receiving a call request message; challenging a device that originated the call request message to authenticate itself, whereby the device generates an authentication result as a result of authenticating itself; authenticating the call request message based on the authentication result, whereby an authentic originating client is identified; searching a database to find a predetermined client billing tag corresponding to the authentic originating client, whereby the call is authorized to be completed if the client billing tag is obtained, and the call is not authorized to be completed if the client billing tag is not obtained; inserting the client billing tag into the call request message; and forwarding the call request message with the inserted client billing tag.

Neither D'Amico et al., Jordan, nor Hayden et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in amended

claim 27. For example, neither D'Amico et al., Jordan, nor Hayden et al. discloses or suggests inserting the client billing tag into the call request message. A similar feature is recited in claim 2. When rejecting claim 2, the Examiner admitted that D'Amico et al. and Jordan do not disclose this feature (Office Action, page 4). The Examiner alleged that McConnell et al. discloses inserting a client billing tag into a call request message and cited paragraphs 0011, 0013-0016, 0035, and 0054 of McConnell et al. for support (Office Action, page 4). Applicants respectfully disagree.

At paragraph 0011, McConnell et al. discloses:

Referring to FIG. 1, there is shown a WAP gateway 1 communicating with a Web (or "origin") server 2 hosting Web-based applications such as on-line shopping applications. The gateway 1 communicates with mobile handset clients 3 via a mobile network 4. The gateway 1 maintains a billing log 5, and the log 5 is accessed by a billing mediation device 6. The gateway 1 also communicates with a real time billing mediation device 7. The gateway 1 comprises an internal software function called a Billing Manager.

Contrary to the Examiner's allegation, nowhere in this section, or elsewhere, does McConnell et al. disclose or suggest a call request message, let alone inserting a client billing tag into a call request message, as required by claim 27.

At paragraphs 0013-0016, McConnell et al. discloses generating a message in response to an event, where the message includes a billing-related HTTP header. Nowhere in this section, or elsewhere, does McConnell et al. disclose or suggest that the message corresponds to a call request message, as required by claim 27. Therefore, McConnell et al. cannot disclose or suggest inserting a client billing tag into a call request message, as required by claim 27.

At paragraph 0035, McConnell et al. discloses:

The billing header is included in one or more of the event messages created for the transaction. The operator can then consider the information in the billing header when determining whether and how much to bill the user for the service. For example, the operator might choose not to bill the user for any of the transactions unless the user was

successfully provided with a service; or the user might be billed a small amount for each transaction, and then an additional fee for successful services; and some services might be premium rate, while others might be lower rates. The operator might enter into an agreement with the application provider where the operator bills the user and provides a portion of the revenue to the application provider. Conversely, the application provider may receive the revenue from the user, for example credit card transaction or account transfer, and have to provide a portion to the operator. In this case, the billing header could allow the operator to track the amount due from the application provider.

Contrary to the Examiner's allegation, nowhere in this section, or elsewhere, does McConnell et al. disclose or suggest a call request message, let alone inserting a client billing tag into a call request message, as required by claim 27.

At paragraph 0054, McConnell et al. discloses:

Thus, to summarize the above, a method of capturing billing data for operation of an application on a network server communicating with a client via a gateway has been described. In one embodiment, the method includes the application automatically generating billing data relating to a service it provides; the application automatically transmitting the billing data to the gateway; and the gateway processing the billing data. The application may transmit the billing data in an event message according to a pre-set format. The message may comprise a HTTP header. The application may generate a message for each activity recognized as an event and transmit the messages to the gateway. The application may recognize a plurality of events for a transaction. The application may include a common event linkage identifier in each event message associated with a particular transaction. The application may recognize a transaction failure and/or a time-out as an event. Each event message may have a unique identifier, which may be a number whereby identifiers of sequential messages are sequential numbers. Each event message may comprise at least one parameter value. Each parameter value may be represented in a tag-length-value format in which a tag field identifies a parameter name, the length field identifies the length of the value in bytes, and the value field contains the parameter value. The gateway may generate billing data according to signal flows between the application and the client and may store the billing data in addition to that originating from the application. The gateway may recognize events according to signal flows between the application and the client and may generate corresponding messages. The gateway may route event messages to a billing log for off-line processing or to a real time mediation device for real time processing according to configuration settings. The gateway further may route event messages to the real time mediation device if the events relate to pre-paid services. Within the gateway, messages may be routed in real time to a billing manager, such that the billing manager processes the messages.

Contrary to the Examiner's allegation, nowhere in this section, or elsewhere, does McConnell et al. disclose or suggest a call request message, let alone inserting a client billing tag into a call request message, as required by claim 27.

Because McConnell et al. does not disclose or suggest inserting a client billing tag into a call request message, McConnell et al. cannot disclose or suggest forwarding the call request message with the inserted client billing tag, as further recited in claim 27. D'Amico et al., Jordan, and Hayden et al. also do not disclose or suggest these features.

For at least these reasons, Applicants submit that claim 27 is patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination. Claim 76 depends from claim 27 and is, therefore, patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al. for at least the reasons given with regard to claim 27. Claim 76 is also patentable for reasons of its own.

For example, claim 76 recites receiving a user name and the authentication result from the device, determining a password that corresponds to the user name, performing a hash function based on the user name and password, and determining whether a result of the hash function matches the authentication result. Neither D'Amico et al., Jordan, Hayden et al., nor McConnell et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 76. The Examiner did not address the features of claim 76 and, therefore, did not establish a prima facie case of obviousness with regard to claim 76.

For at least these additional reasons, Applicants submit that claim 76 is patentable of D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination.

Amended independent claim 61 recites features similar to features recited in claim 1. Claim 61 is, therefore, patentable over D'Amico et al., Jordan, and Hayden et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given with regard to claim 1. Claims 64 and 80 depend from claim 61 and are, therefore, patentable over D'Amico et al., Jordan, and Hayden et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claim 61. Claim 80 also recites features similar to features recited in claim 75. Claim 80 is, therefore, also patentable over D'Amico et al., Jordan, and Hayden et al. for at least reasons similar to reasons given with regard to claim 75.

For at least the foregoing reasons, Applicants respectfully submit that claims 1, 5, 9, 10, 15-27, 61, 64, 75, 76, and 80 are patentable over D'Amico et al., Jordan, Hayden et al., and/or McConnell et al., whether taken alone or in any reasonable combination.

In paragraph 3 of the non-final Office Action, the Examiner rejected claims 2, 3, 6-8, 11-14, 28, 29, 31, 32, 34-37, 62, 63, 77, and 78 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Jordan and McConnell et al. Applicants respectfully traverse the rejection.

Initially, Applicants submit that the rejection is based on an improper combination of references. The Examiner rejected independent claims 1 and 61 based on a combination of D'Amico et al., Jordan, and Hayden et al. (Office Action, page 2). Claims 2, 3, 6-8, and 11-14 depend from claim 1 and claims 62 and 63 depend from claim 61. The Examiner rejected claims

2, 3, 6-8, 11-14, 62, and 63, based on a combination of D'Amico et al., Jordan, and McConnell et al. (Office Action, page 3), without Hayden et al. Therefore, the Examiner's rejection of claims 2, 3, 6-8, 11-14, 62, and 63 is improper. Reconsideration and clarification of the rejection is respectfully requested.

As stated above, claims 2, 3, 6-8, and 11-14 depend from claim 1 and claims 62 and 63 depend from claim 61. Without acquiescing in the Examiner's rejection, Applicants submit that the disclosure of McConnell et al. does not cure the deficiencies in the disclosures of D'Amico et al., Jordan, and Hayden et al. identified above with regard to claims 1 and 61. Therefore, claims 2, 3, 6-8, 11-14, 62, and 63 are patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claims 1 and 61. Claims 2, 3, 6-8, 11-14, 62, and 63 are also patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al. for reasons of their own.

Claim 2 recites inserting the client billing tag into the call request message, and transmitting the call request message to a gateway after the client billing tag is inserted into the call request message. Similar features are recited in amended claim 27. Therefore, claim 2 is patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given above with regard to claim 27.

Claim 6 recites that a server inserts the client billing tag corresponding to the second client into the call request message based on the at least one calling feature. Neither D'Amico et al., Jordan, Hayden et al., nor McConnell et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 6. The Examiner

did not address the features of claim 6 and, therefore, did not establish a prima facie case of obviousness with regard to claim 6.

For at least these additional reasons, Applicants submit that claim 6 is patentable of D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination.

Claim 7 recites that the server transmits the call request message to a gateway after the client billing tag corresponding to the second client is inserted into the call request message. Neither D'Amico et al., Jordan, Hayden et al., nor McConnell et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 7. The Examiner did not address the features of claim 7 and, therefore, did not establish a prima facie case of obviousness with regard to claim 7.

For at least these additional reasons, Applicants submit that claim 7 is patentable of D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination.

Claim 11 recites evaluating at least one calling feature activated by the second client; determining the authentic originating client based on the at least one calling feature; retrieving the client billing tag corresponding to the authentic originating client; and inserting the client billing tag corresponding to the authentic originating client into the call request message. Neither D'Amico et al., Jordan, Hayden et al., nor McConnell et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 11. The Examiner did not address the features of claim 11 and, therefore, did not establish a prima facie case of obviousness with regard to claim 11.

For at least these additional reasons, Applicants submit that claim 11 is patentable of D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination.

Claims 62 and 63 recite features similar to features recited in claim 2. Claims 62 and 63 are, therefore, patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given above with regard to claim 2.

Independent claim 28 recites features similar to features recited in claim 27. Claim 28 is, therefore, patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given above with regard to claim 27. Claims 29 and 77 depend from claim 28 and are, therefore, patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al. for at least the reasons given with regard to claim 28. Claim 77 also recites features similar to features recited in claim 76. Claim 77 is, therefore, also patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given above with regard to claim 76.

Independent claim 31 recites features similar to features recited in claim 28. Claim 31 is, therefore, patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given above with regard to claim 28. Claims 32, 34-37, and 78 depend from claim 31 and are, therefore, patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al. for at least the reasons given with regard to claim 31. Claim 78 also recites features similar to features recited

in claim 77. Claim 78 is, therefore, also patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given above with regard to claim 77.

For at least the foregoing reasons, Applicants respectfully submit that claims 2, 3, 6-8, 11-14, 28, 29, 31, 32, 34-37, 62, 63, 77, and 78 are patentable over D'Amico et al., Jordan, Hayden et al., and McConnell et al., whether taken alone or in any reasonable combination.

In paragraph 4 of the non-final Office Action, the Examiner rejected claim 4 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Jordan and Jobst et al. Applicants respectfully traverse the rejection.

Initially, Applicants submit that the rejection is based on an improper combination of references. The Examiner rejected independent claim 1 based on a combination of D'Amico et al., Jordan, and Hayden et al. (Office Action, page 2). Claim 4 depends from claim 1. The Examiner rejected claim 4 based on a combination of D'Amico et al., Jordan, and Jobst et al. (Office Action, page 5), without Hayden et al. Therefore, the Examiner's rejection of claim 4 is improper. Reconsideration and clarification of the rejection is respectfully requested.

As stated above, claim 4 depends from claim 1. Without acquiescing in the Examiner's rejection, Applicants submit that the disclosure of Jobst et al. does not cure the deficiencies in the disclosures of D'Amico et al., Jordan, and Hayden et al. identified above with regard to claim 1. Therefore, claim 4 is patentable over D'Amico et al., Jordan, Hayden et al., and Jobst et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claim 1.

For at least the foregoing reasons, Applicants respectfully submit that claim 4 is patentable over D'Amico et al., Jordan, Hayden et al., and Jobst et al., whether taken alone or in any reasonable combination.

In paragraph 6 of the non-final Office Action, the Examiner rejected claims 30 and 33 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Jordan, McConnell et al., and Fletcher et al. Applicants respectfully traverse the rejection.

Claims 30 and 33 depend from claims 28 and 31, respectively. Without acquiescing in the Examiner's rejection, Applicants submit that the disclosure of Fletcher et al. does not cure the deficiencies in the disclosures of D'Amico et al., Jordan, and McConnell et al. identified above with regard to claims 28 and 31. Therefore, claims 30 and 33 are patentable over D'Amico et al., Jordan, McConnell et al., and Fletcher et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claims 28 and 31.

For at least the foregoing reasons, Applicants respectfully submit that claims 30 and 33 are patentable over D'Amico et al., Jordan, McConnell et al., and Fletcher et al., whether taken alone or in any reasonable combination.

In paragraph 7 of the non-final Office Action, the Examiner rejected claims 38-42 and 66-68 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Hayden et al. Applicants respectfully traverse the rejection.

Independent claim 38 is directed to a computer readable medium having computer executable instructions for performing a method for placing a call between a first client and a second client. The method comprises receiving a SIP call request message; adding a header to the SIP call request message, the header including a server identifier to identify a server sending

the SIP call request message; and transmitting the SIP call request message and the header to a network gateway.

Neither D'Amico et al. nor Hayden et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 38. For example, neither D'Amico et al. nor Hayden et al. discloses or suggests adding a header to a SIP call request message, where the header includes a server identifier to identify a server sending the SIP call request message.

The Examiner alleged that Hayden et al. discloses these features and cited page 6, line 23 - page 7, line 6 (Office Action, page 7). Applicants respectfully disagree.

At page 6, line 23 - page 7, line 6, Hayden et al. discloses:

The various components shown in Figs.1 and 2 have the following functions. The locator server 42 provides the gatekeeper server 34 with the Internet Protocol (IP) addresses of the servers required to utilize the distributed control system 18. Specifically, locator server 42 provides the server 34 with the IP addresses of the authentication server 70, the route termination server 50 and the collection server 54. When the gatekeeper 34 is booted up, it sends an input to the locator server 42 that specifies the type of service that is requested (i. e. an Internet telephony); the service release (i. e. the version of the service that is being used); the location of the gatekeeper server 34 (e. g. Indonesia); and a description of the type of the gatekeeper server 34 (referred to as the client type). The client type is preferably in the format of the manufacturer followed by the type of server and the version of the server (e. g. Lucent_Gatekeeper_2.0). The input sent by the gatekeeper server 34 to the locator server 42 is part of the API software.

When the locator server 42 receives this input from the gatekeeper server 34, server 42 returns an output to the server 34 that provides the IP addresses for the servers required to complete the type of service specified by the input. For example, the output from the locator server 42 to the gatekeeper server 34 in response to the API input described above, would include the IP addresses of one or more of the following servers, depending on the situation: the authentication server 46, the route termination server 50 and/or the collection server 54.

In this section, Hayden et al. discloses that locator server 42 provides IP addresses for authentication server 46, route termination server 50, and/or collection server 54. Nowhere in this section, or elsewhere, does Hayden et al. disclose or suggest adding a header to a SIP call

request message, where the header includes a server identifier to identify a server sending the SIP call request message, as required by claim 38.

Because Hayden et al. does not disclose or suggest adding a header to a SIP call request message, where the header includes a server identifier to identify a server sending the SIP call request message, Hayden et al. cannot disclose or suggest transmitting the SIP call request message and the header to a network gateway, as further required by claim 38. D'Amico et al. also does not disclose or suggest these features.

For at least these reasons, Applicants submit that claim 38 is patentable of D'Amico et al. and Hayden et al., whether taken alone or in any reasonable combination. Claim 39 depends from claim 38 and is, therefore, patentable over D'Amico et al. and Hayden et al. for at least the reasons given with regard to claim 38.

Independent claim 40 is directed to a computer readable medium having computer executable instructions for performing a method for placing a call between a first client and a second client. The method comprises receiving a call request message; checking the call request message for a server identifier in a security header appended to the call request message, the server identifier identifying a server that forwarded the call request message; and completing the call based on existence of the server identifier in the security header.

Neither D'Amico et al. nor Hayden et al., whether taken alone or in any reasonable combination, discloses or suggests the combination of features recited in claim 40. For example, neither D'Amico et al. nor Hayden et al. discloses or suggests checking the call request message for a server identifier in a security header appended to the call request message, where the server identifier identifies a server that forwarded the call request message.

The Examiner alleged that Hayden et al. discloses these features and cited page 6, line 23 - page 7, line 6 (Office Action, page 7). Applicants respectfully disagree.

Page 6, line 23 - page 7, line 6, of Hayden et al. has been reproduced above. In this section, Hayden et al. discloses that locator server 42 provides IP addresses for authentication server 46, route termination server 50, and/or collection server 54. Nowhere in this section, or elsewhere, does Hayden et al. disclose or suggest checking a call request message for a server identifier in a security header appended to the call request message, where the server identifier identifies a server that forwarded the call request message, as required by claim 40.

Because Hayden et al. does not disclose or suggest checking a call request message for a server identifier in a security header appended to the call request message, where the server identifier identifies a server that forwarded the call request message, Hayden et al. cannot disclose or suggest completing the call based on existence of the server identifier in the security header, as further required by claim 40. D'Amico et al. also does not disclose or suggest these features.

For at least these reasons, Applicants submit that claim 40 is patentable of D'Amico et al. and Hayden et al., whether taken alone or in any reasonable combination. Claims 41 and 42 depend from claim 40 and are, therefore, patentable over D'Amico et al. and Hayden et al. for at least the reasons given with regard to claim 40.

Independent claim 66 recites features similar to features recited in claim 40. Claim 66 is, therefore, patentable over D'Amico et al. and Hayden et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given with regard to claim 40.

Claims 67 and 68 depend from claim 66 and are, therefore, patentable over D'Amico et al. and Hayden et al. for at least the reasons given with regard to claim 66.

For at least the foregoing reasons, Applicants respectfully submit that claims 38-42 and 66-68 are patentable over D'Amico et al. and Hayden et al., whether taken alone or in any reasonable combination.

In paragraph 8 of the non-final Office Action, the Examiner rejected claims 43, 44, 47-60, and 79 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Jordan and Hluchyj et al. Applicants respectfully traverse the rejection.

Amended independent claim 43 recites features similar to features recited in claim 1. The disclosure of Hluchyj et al. does not cure the deficiencies in the disclosures of D'Amico et al. and Jordan identified above with regard to claim 1. Claim 43 is, therefore, patentable over D'Amico et al., Jordan, and Hluchyj et al., whether taken alone or in any reasonable combination, for at least reasons similar to reasons given with regard to claim 1. Claims 44, 47-60, and 79 depend from claim 43 and are, therefore, patentable over D'Amico et al., Jordan, and Hluchyj et al. for at least the reasons given with regard to claim 43.

For at least the foregoing reasons, Applicants respectfully submit that claims 43, 44, 47-60, and 79 are patentable over D'Amico et al., Jordan, and Hluchyj et al., whether taken alone or in any reasonable combination.

In paragraph 9 of the non-final Office Action, the Examiner rejected claims 45 and 46 under 35 U.S.C. § 103(a) as allegedly unpatentable over D'Amico et al. in view of Jordan, Hluchyj et al., and McConnell et al. Applicants respectfully traverse the rejection.

Claims 45 and 46 depend from claim 43. Without acquiescing in the Examiner's rejection, Applicants submit that the disclosure of McConnell et al. does not cure the deficiencies in the disclosures of D'Amico et al., Jordan, and Hluchyj et al. identified above with regard to claim 43. Therefore, claims 45 and 46 are patentable over D'Amico et al., Jordan, Hluchyj et al., and McConnell et al., whether taken alone or in any reasonable combination, for at least the reasons given with regard to claim 43.

For at least the foregoing reasons, Applicants respectfully submit that claims 45 and 46 are patentable over D'Amico et al., Jordan, Hluchyj et al., and McConnell et al., whether taken alone or in any reasonable combination.

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of the application and the timely allowance of pending claims 1-64, 66-68, and 75-80.

If the Examiner believes that the application is not now in condition for allowance, Applicants respectfully request that the Examiner contact the undersigned to discuss any outstanding issues.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 13-2491 and please credit any excess fees to such deposit account.

Respectfully submitted,

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By: 

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